

FILED IN CHAMBERS

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

SEP 25 2012  
U.S. MAGISTRATE JUDGE  
N.D. GEORGIA

ATLANTA DIVISION

UNITED STATES OF AMERICA :  
: CRIMINAL INDICTMENT  
v. :  
: NO. 1 :12 - CR - 323  
EDWARD K. KIM, :  
: :  
: :

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about August 17, 2012 in the Northern District of Georgia, defendant EDWARD K. KIM did knowingly and unlawfully take and obtain personal property belonging to Bejewel, located at 5530 Windward Parkway, Suite 1240, Alpharetta, Fulton County, Georgia, which business was then engaged in interstate commerce and in an industry which affects foreign and interstate commerce, said personal property consisting of United States currency, from the person of, and in the presence of an employee of Bejewel, against her will, by means of actual and threatened force, violence, and fear of injury, to the person of said employee, and by doing such acts did unlawfully obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951, all

in violation of Title 18, United States Code, Section 1951.

COUNT TWO

On or about August 17, 2012, in the Northern District of Georgia, defendant EDWARD K. KIM, did use and carry a firearm during and in relation to a crime of violence, that is, the armed robbery charged in Count One above, an offense for which the defendant may be prosecuted in a court of the United States; all in violation of Title 18, United States Code, Section 924(c)(1)(A)(ii).

COUNT THREE

On or about August 17, 2012, in the Northern District of Georgia, the defendant, EDWARD K. KIM, with intent to cause death and serious bodily harm, did take a motor vehicle that had been transported in foreign commerce, from the person and presence of another by force and violence and intimidation, in violation of Title 18, United States Code, Section 2119.

COUNT FOUR

On or about August 17, 2012, in the Northern District of Georgia, defendant EDWARD K. KIM, did use and carry a firearm during and in relation to a crime of violence, that is, the robbery

of a motor vehicle or carjacking charged in Count Three above, an offense for which the defendant may be prosecuted in a court of the United States; all in violation of Title 18, United States Code, Section 924(c) (1) (A) (ii).

COUNT FIVE

On or about August 18, 2012 in the Northern District of Georgia, defendant EDWARD K. KIM did knowingly and unlawfully take and obtain personal property belonging to Rite Aid, located at 3610 Peachtree Industrial Boulevard, Duluth, Gwinnett County, Georgia, which business was then engaged in interstate commerce and in an industry which affects interstate commerce, said personal property consisting of United States currency, from the person of, and in the presence of an employee of Rite Aid, against her will, by means of actual and threatened force, violence, and fear of injury, to the person of said employee, and by doing such acts did unlawfully obstruct, delay, and affect commerce, as that term is defined in Title 18, United States Code, Section 1951, all in violation of Title 18, United States Code, Section 1951.

COUNT SIX

On or about August 18, 2012, in the Northern District of Georgia, defendant EDWARD K. KIM, did use and carry a firearm

during and in relation to a crime of violence, that is, the armed robbery charged in Count Five above, an offense for which the defendant may be prosecuted in a court of the United States; all in violation of Title 18, United States Code, Section 924 (c) (1) (A) (ii).

COUNT SEVEN

On or about August 20, 2012, in the Northern District of Georgia, defendant, EDWARD K. KIM, then being an unlawful user of a controlled substance as defined in Title 21, United States Code, Section 802, did knowingly possess in and affecting commerce, a firearm and ammunition, that is, a .38 caliber Smith & Wesson revolver, containing six Remington rounds of ammunition, said firearm which had been shipped and transported in interstate and foreign commerce, in violation of Title 18, United States Code, Sections 922(g) (3) and 924(a) (2).

FORFEITURE PROVISION

Upon conviction of one or more of the offenses alleged in Counts Two, Four, Six, Seven and Eight of this Indictment, defendant EDWARD K. KIM shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offense, including but

not limited to the following:

One .38 caliber Smith & Wesson revolver and ammunition  
seized with said firearm.

All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

A true BILL  
Robert F. Dow  
FOREPERSON

SALLY QUILLIAN YATES  
UNITED STATES ATTORNEY

~~JOSEPH PLUMMER~~  
JOSEPH PLUMMER  
ASSISTANT UNITED STATES ATTORNEY  
GEORGIA BAR NO. 003006

600 U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303  
404/581-6055